

2011 NOV 15 PM 2 51

IN THE UNITED STATES DISTRICT COURT

PATRICK E. DUFFY, CLERK

FOR THE DISTRICT OF MONTANA

BY _____
DEPUTY CLERK

BILLINGS DIVISION

UNITED STATES OF AMERICA,)	Cause No. CR 08-63-BLG-RFC
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
CLIFFORD W. EAGLE,)	
)	
Defendant.)	

On November 14, 2011, the Court received a letter from Defendant Eagle asking "that the agreement made during my sentencing be honored." Letter (doc. 67) at 3. The letter will be construed as a motion for relief.

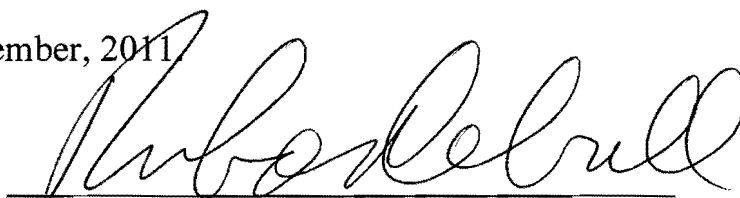
Eagle objects to a \$100.00 special assessment. It was imposed at sentencing on January 15, 2009, as Eagle knew it would be. Plea Agreement (doc. 25) at 8 ¶ 15; Change of Plea Tr. (doc. 39) at 7:21-24; Sentencing Tr. (doc. 40) at 26:1-19; Judgment (doc. 33) at 5. The Court's records show that Eagle made one payment of \$25.00 in March 2011. He still owes \$75.00.

Eagle also objects to a detainer lodged against him by Pittsburg County,

Oklahoma. Detainers lodged by other jurisdictions were not addressed in the plea agreement or at sentencing. A federal court in Montana has no authority to quash a detainer lodged by a county in Oklahoma.

Accordingly, IT IS HEREBY ORDERED that Eagle's letter, construed as a motion for relief (doc. 67), is DENIED.

DATED this 15 day of November, 2011.

A handwritten signature in black ink, appearing to read 'Richard F. Cebull', written over a horizontal line.

Richard F. Cebull, Chief Judge
United States District Court